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**To** Attn: Examiner Michael D. Pak**Company Group:** 1646**Fax** 703-872-9306**From** Marjorie J. Pfeiffer for Michael M. Conger**Tel** 1-919-483-9038; Facsimile: 1-919-483-7988**E-mail** [mjp14849@gsk.com](mailto:mjp14849@gsk.com)**Date** 22 May 2002**Pages including cover** 5**Subject** Response to Office Action mailed April 8, 2002 for

Serial No. 09/276,935

**Re:** Response to Office Action  
Application of KLIEWER et al.  
U.S. Serial No.: 09/276,935; Filed: March 26, 1999  
Title: *An Orphan Nuclear Receptor*  
Attorney Docket No. PU3474US2

Attached is a Response to Office Action that was mailed to the USPTO on the date of the Certificate of Mailing under 37 CFR 1.8, May 2, 2002. The Response was returned to us by the U.S. Post Office as undeliverable mail due to the anthrax-related decontamination process.

Please enter the Response as timely filed and confirm receipt of the above.

Sincerely,

Marjorie J. Pfeiffer  
Administrative Assistant  
Corporate Intellectual Property

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## FAX RECEIVED

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DOCKET No. P163474U52 Date Mailed 5/2/02 Atty/Secy mme/mjp  
MAILING: CERTIFICATE/ EXPRESS MAIL #  
U.S. Serial No.: 09/276, 935 Filing Date: 3/26/1999  
Int'l App. No.: \_\_\_\_\_ Int'l Filing Date: \_\_\_\_\_

## RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

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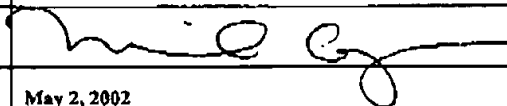
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|  |                        |                  |
|--|------------------------|------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> | Application            | 09/276,935       |
|  | Filing Date            | March 26, 1999   |
|  | First Named            | Steven A. KIEWER |
|  | Group Art Unit         | 1646             |
|  | Examiner Name          | Pak, M.          |
| Total Number of Pages In This Submission   | Attorney Docket Number | PU3474US2        |

| ENCLOSURES (check all that apply)  |   |  |
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| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Assignment Papers (for an Application)                 | <input type="checkbox"/> After Allowance Communication to Group                            |
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| <input checked="" type="checkbox"/> Amendment / Response                     | <input type="checkbox"/> Licensing-related Papers                               | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert a Provisional Application          | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence | <input type="checkbox"/> Other Enclosure(s) (please identify below):                       |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer                                    |  |
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| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD. Number of CD(s) _____                              |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   | Remarks   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Michael M. Conger<br>Registration No. 43, 562  |
| Signature                                  |  23347<br>PATENT TRADEMARK OFFICE |
| Date                                       | May 2, 2002  |

| CERTIFICATE OF MAILING   |   |      |             |
|--|---|------|-------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: May 2, 2002 |   |      |             |
| Typed or printed name  | Marjorie J. Pfeiffer  |      |             |
| Signature  |  | Date | May 2, 2002 |

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KLIEWER et al.

Serial No.: 09/276,935

Group Art Unit: 1646

Filed: March 26, 1999

Examiner: Pak, M.

For: *An Orphan Nuclear Receptor*Commissioner for Patents  
Washington, D.C. 20231**RESPONSE TO OFFICE ACTION**

This communication is responsive to the Office Action mailed April 8, 2002 in the above referenced patent application. The Office Action states that the Applicants' amendment and response Paper 18 filed 29 January 2002, fails to comply with the requirements of 37 CFR 1.121 regarding amendments to the application.

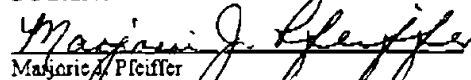
Applicants thank the Examiner for the telephone interview of 1 May, 2002 and for the Examiner's prompt attention to this matter. In the telephone interview the Examiner indicated that upon reexamination the response appears to be in compliance with requirements of 37 CFR 1.121.

If the Examiner has further questions or concerns, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

Michael M. Conger  
Attorney of Record  
Registration No. 43,562Date: May 2, 2002GlaxoSmithKline  
Corporate Intellectual Property Department  
5 Moore Drive, P.O. Box 13398  
Research Triangle Park, NC 27709  
Telephone: (919) 483-2474  
Facsimile: (919) 483-7988**Certification Under 37 CFR 1.8(a)**

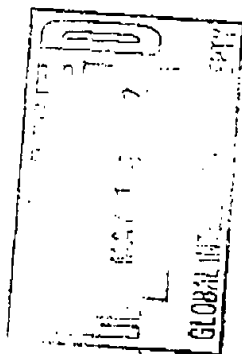
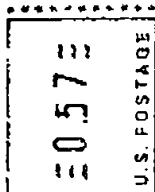
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Margaret J. PfeifferDate of Signature: May 2, 2002

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